

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

FORT WORTH DIVISION

BOBBY WAYNE REED	§
	§
VS.	§ Criminal NO.4:96-CR-068-J (1)
	§
UNITED STATES OF AMERICA	§

ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF THE UNITED STATES
MAGISTRATE JUDGE and TRANSFERRING MOTION CONSTRUED AS
SEEKING RELIEF UNDER 28 U.S.C. § 2255 TO THE COURT OF APPEALS
(With special instructions to the Clerk of Court)

After reviewing of the record in this case, including the Findings, Conclusions and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

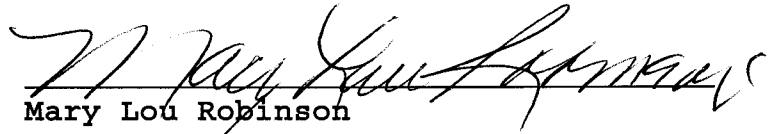
For the reasons stated in the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed of record on August 8, 2014, it is hereby **ORDERED** that defendant Bobby Wayne Reed's June 20, 2014 pleading entitled "Motion to Obtain Relief of a Newly Recognized Right of [*Alleyne v. United States*, 133 S. Ct. 2151 (2013)] by the United States Supreme Court," is **CONSTRUED** as a motion seeking relief under 28 U.S.C. § 2255.

The clerk of Court is directed to so docket the motion and assign any civil number required for docketing purposes.

It is further ORDERED that Bobby Wayne Reed's June 20, 2014 motion construed as seeking relief under 28 U.S.C. § 2255 is **TRANSFERRED** to the United States Court of Appeals for the Fifth Circuit.

It is SO ORDERED.

SIGNED this the 9th day of September, 2014.


Mary Lou Robinson
UNITED STATES DISTRICT JUDGE